

RESOLUTION NO. 29-11-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF LANDSCAPING, IRRIGATION, AND SIDEWALK FACILITIES ALONG A PORTION OF STATE ROAD 850 (NORTHLAKE BOULEVARD) AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, the State of Florida Department of Transportation, as part of its continual updating of the State of Florida Highway System, has constructed and currently maintains a six-lane highway known as State Road 850 (a/k/a "Northlake Boulevard") from State Road 811 to U.S. Highway One in Palm Beach County, Florida; and

WHEREAS, certain portions of State Road 850 in the Town of Lake Park contain landscape areas outside of the southern perimeter of the travel way to the right-of-way line, including sidewalks, which require maintenance by periodic trimming, cutting, mowing, fertilizing, litter pick-up, replanting, irrigation repairs and sidewalk replacements

WHEREAS, the State of Florida Department of Transportation and the Town recognize the need for an Agreement designating and setting forth the responsibilities of each party with respect to the maintenance of these landscape, right-of-way and sidewalk areas along portions of State Road 850; and

WHEREAS, the parties have memorialized the terms of their agreement in the Maintenance Agreement attached hereto as **Exhibit "A,"** whereby the Town of Lake Park agrees to provide labor, materials and other services relative to the maintenance, repair, replacement of landscaping, irrigation and sidewalk facilities as further specified in the Maintenance Agreement; and

WHEREAS, the Town's Public Works Department has reviewed the terms and conditions of the Maintenance Agreement and has determined that the scope of services to be provided, the contract price, and other contractual provisions of the Maintenance Agreement are fair, reasonable and in the best interest of the Town; and

NOW THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lake Park, Florida:

Section 1. The Maintenance Agreement for landscaping, irrigation, and sidewalk facilities along State Road 850 attached hereto and incorporated herein as **Exhibit "A"** with the State of Florida Department of Transportation is approved and accepted by the Town Commission.

Section 2. The Mayor is authorized and directed to execute the Maintenance Agreement on behalf of the Town Commission.

Section 3. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Balius who moved its adoption. The motion was seconded by Commissioner Longtin and upon being put to a roll call vote, the vote was as follows.

| | AYE | NAY |
|------------------------------|---------------|---------------|
| MAYOR PAUL W. CASTRO | <u> x </u> | <u> </u> |
| VICE-MAYOR G. CHUCK BALIUS | <u> x </u> | <u> </u> |
| COMMISSIONER PAUL GARRETSON | <u> x </u> | <u> </u> |
| COMMISSIONER BILL OTTERSON | <u> x </u> | <u> </u> |
| COMMISSIONER JEANINE LONGTIN | <u> </u> | <u> x </u> |

The Mayor thereupon declared the foregoing Resolution No. 29-11-03 duly passed and adopted this 5th day of November 2003.

TOWN OF LAKE PARK, FLORIDA

ATTEST

BY: *Paul W. Castro*
PAUL W. CASTRO, MAYOR

Carol Simpkins
CAROL SIMPKINS, TOWN CLERK

Approved as to form and legal
sufficiency:



BY: *Paul J. Bil*
TOWN ATTORNEY